

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES JONATHAN NICOLAU,

Defendant.

4:13CR3064

MEMORANDUM AND ORDER

Defendant has moved to continue defendant's change of plea hearing. (Filing No. 43). The government needs more time to get the plea agreement approved. The motion to continue is unopposed. The court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (filing no. 43), is granted.
- 2) The defendant's plea hearing will be held before the undersigned magistrate judge on August 27, 2013 at 2:30 p.m.. The defendant is ordered to appear at this hearing.
- 3) For the reasons stated by counsel in the motion, the Court finds that the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

August 15, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge